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United States of America

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	NO. CV 09-8701 MMM (AGRx)
	)	
Plaintiff,	)	<u>APPLICATION FOR ENTRY OF</u>
	)	<u>DEFAULT BY THE CLERK AGAINST</u>
v.	)	<u>THE INTERESTS OF KNOWN</u>
	)	<u>POTENTIAL CLAIMANTS JAY APSEY,</u>
\$806,900.00 IN U.S. CURRENCY,	)	<u>AND CNP INTERNATIONAL, LLC AKA</u>
\$233,120.00 IN U.S. CURRENCY	)	<u>CNP AKAMA VENTURES, LLC AND ALL</u>
AND \$9,010.00 IN U.S.	)	<u>OTHER POTENTIAL CLAIMANTS;</u>
CURRENCY,	)	<u>DECLARATION OF FRANK KORTUM</u>
	)	
Defendant.	)	[Fed. R. Civ. P. 55(a) and Local
	)	Rule 55-1]
	)	

Pursuant to Rule 55(a) of the Federal Rules of Civil  
Procedure and Rule 55-1 of the Local Rules of Practice for the  
Central District of California, Plaintiff United States of  
America hereby respectfully applies for entry of default by the  
Clerk in the instant action against the interest of known

1 potential claimants Jay Apsey ("Apsey") and CNP International,  
2 LLC ("CNP") aka CNP Akama Ventures, LLC, and all other potential  
3 claimants.

4 This application is based on the facts set forth in the  
5 attached Declaration of Frank Kortum (the "Kortum Declaration")  
6 and the facts appearing in the Court's file.

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1 As set forth more particularly in the Kortum Declaration,  
2 notice of this action has been published as required by Rule G(4)  
3 of the Supplemental Rules For Certain Admiralty or Maritime and  
4 Asset Forfeiture Claims ("Supplemental Rules") and Rules C(3) and  
5 C(4)(a)(1) of the Local Rules For Admiralty and Maritime Claims  
6 ("Local Rules"). Moreover, plaintiff has mailed notice of this  
7 action to known potential claimants Apsey and CNP as required by  
8 Local Rule C(4)(a)(3). Plaintiff has not received a claim from  
9 known potential claimants Apsey and CNP, or any other potential  
10 claimants. Known potential claimants Apsey and CNP are not  
11 minors nor incompetent persons, and do not serve in the U.S.  
12 military. Therefore, the Soldiers' and Sailors' Civil Relief Act  
13 of 1940 therefore does not apply.

14 DATED: April 12, 2010

15 ANDRÉ BIROTTE JR.  
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